IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3938 OF 2005

Shri. Prem Singh Bava ... Petitioner

Versus

The State of Maharashtra & Ors. Respondents

Mr. V.G. Rege for Petitioner.

None for Respondents.

CORAM : F.I. REBELLO &
MRS R.S. DALVI**.JJ.**
DATED : NOVEMBER 23, 2005

P.C.

. Rule. Heard forthwith.

. The Petitioner was reverted on 11.12.1986. That was challenged before the Maharashtra Administrative Tribunal in the year 2003. The Original Application came to be dismissed by order dated 3.8.2004. The review was preferred which was also dismissed. The Maharashtra Administrative Tribunal while disposing of the Original Application held that the delay cannot be condoned.

. It was open to M.A.T. to exercise the discretion whether to condone the delay or not. The M.A.T. has exercised the discretion and refused to condone the delay. There was delay of nearly 17 years in approaching the MAT. The learned counsel points out that the petitioner was engaged in criminal proceedings. That by itself is no answer. The criminal proceedings against the petitioner were under the provisions of Prevention of Corruption Act from which the petitioner has now been acquitted. We do not think this to be a fit case for this court to exercise its extra ordinary jurisdiction. Hence, petition rejected. Rule discharged.

(F.I. REBELLO,J.)

(MRS. R.S. DALVI,J.)